

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
 SE/Corner Joppa and Ebenezer Roads
 (4316 Ebenezer Road) * DEPUTY ZONING COMMISSIONER

 11th Election District * OF BALTIMORE COUNTY
 5th Councilmanic District *

 Perry Hall Square Ltd. Part. * Case No. 97-83-X
 Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 4316 Ebenezer Road, located in the vicinity of Belair Road in Perry Hall. The Petitions were filed by the owners of the property, Perry Hall Square Limited Partnership, by Jack H. Pechter, Managing Partner, through their attorney, Robert A. Hoffman, Esquire. The Petition, as filed, seeks a special exception to permit a community building or land use devoted to social or recreational activity on the subject property, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.), as previously approved in prior Case No. 85-6-X. More specifically, the Petitioners seek approval of the relocation of an existing tanning salon as a principal use. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Martin Pechter, a representative of Perry Hall Square Limited Partnership, Dwight Little, Professional Engineer who prepared the site plan for the subject property, and Robert A. Hoffman, Esquire, attorney for the Petitioners. Also appearing in support of the Petition were Robin and Marty Eason, nearby property owners. There were no Protestants or other interested parties present.

ORDER RECEIVED FOR FILING
 Date 1/28/76
 By [Signature]

MICROFILMED

[Handwritten signature]

[Handwritten signature]

[Handwritten signature]

ticular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 28th day of October, 1996 that the Petition for Special Exception to permit a community building or land use devoted to social or recreational activity on the subject property, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.), as previously approved in prior Case No. 85-6-X, and more specifically, the relocation of an existing tanning salon as a principal use, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order

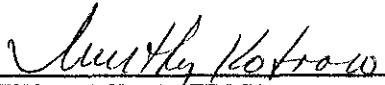
10/28/96
Byp

has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) The special exception relief granted in prior Case No. 85-6-X shall cease and terminate upon the relocation of the subject tanning salon to its new location within the Perry Hall Square Shopping Center.

3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TMK:bjs


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

RECEIVED
10/25/90
Bjs



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

October 28, 1996

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION
SE/Corner Joppa and Ebenezer Roads
(4316 Ebenezer Road)
11th Election District - 5th Councilmanic District
Perry Hall Square Ltd. Part. - Petitioners
Case No. 97-83-X

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Jack H. Pechter, Perry Hall Square Ltd. Part.
40 York Road, 2nd Floor, Towson, Md. 21204

People's Counsel

✓ File

MICROFILMED



Petition for Special Exception to the Zoning Commissioner of Baltimore County

for the property located at 4316 Ebenezer Road

which is presently zoned BL-CCC

97-83-X

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made part of hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

a community building or land use devoted to social or recreational activity (relocation of an existing tanning salon as a principal use) pursuant to Section 230.13 of the Baltimore County Zoning Regulations (current location approved in Case No. 85-6-X).

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

Robert A. Hoffman
Venable, Baetjer and Howard, LLP

(Type or Print Name)

Signature

210 Allegheny Ave

Address

(410) 494-6200

Phone No

Towson

City

MD

State

21204

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Perry Hall Square Limited Partnership

(Type or Print Name)

Signature

By: Jack H. Pechter, Managing Partner

(Type or Print Name)

Signature

40 York Road, 2nd Floor

Address

321-8777

Phone No.

Towson

City

MD

State

21204

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Robert A. Hoffman
Venable, Baetjer and Howard, LLP

Name

210 Allegheny Ave, Towson, MD 21204

Address

(410) 494-6200

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

B-16-90

Zoning Administration
& Development Management

MICROFILMED

ORDER RECEIVED FOR FILING
Date 1/13/90
By [Signature]

W. DUVALL & ASSOCIATES, INC.

Engineers • Surveyors • Land Planners

August 14, 1996

ZONING DESCRIPTION

4316 EBENEZER ROAD
11TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

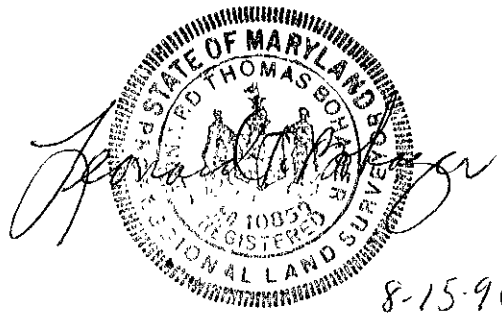
97-83-X

BEGINNING for the same at a point in Perry Hall Square, said point of beginning being distant from the centerline intersection of Belair Road (70 feet wide) and Ebenezer Road (70 feet wide) the two following courses and distances: South 69 degrees 45 minutes 55 seconds East 865.00 feet, measured along the centerline of said Ebenezer Road and South 20 degrees 14 minutes 05 seconds West 286.00 feet, measured through the parking lot of said Perry Hall Square to said beginning point; thence running for a parcel to be zoned the following eleven courses and distances, viz:

1. South 20 degrees 14 minutes 05 seconds West 50.00 feet; thence
2. North 53 degrees 52 minutes 25 seconds West 59.50 feet; thence
3. South 36 degrees 07 minutes 35 seconds West 145.0 feet, plus or minus; thence
4. North 53 degrees 52 minutes 25 seconds West 27.50 feet; thence
5. North 36 degrees 07 minutes 35 seconds East 165.7 feet, plus or minus; thence
6. North 20 degrees 14 minutes 05 seconds East 48.74 feet; thence
7. South 69 degrees 45 minutes 55 seconds East 18.00 feet; thence
8. South 89 degrees 44 minutes 54 seconds East 23.41 feet; thence
9. South 69 degrees 45 minutes 55 seconds East 20.50 feet; thence
10. South 20 degrees 14 minutes 05 seconds West 50.50 feet; thence
11. South 69 degrees 45 minutes 55 seconds East 17.50 feet to the place of beginning.

CONTAINING 0.227 acres of land, more or less.

80



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530 East Joppa Road/Towson, Maryland 21286/(410) 583-9571

97-83-X

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 11

Date of Posting

Posted for:

OCT. 1, 1996 HEARINGS

Petitioner:

PERCY HALL SQ LTD PART

Location of property:

4316 EBENEZER RD

Location of Sign:

#4316 EBENEZER ROAD

AT SUNSEEKERS STORE FRONT

Remarks:

Posted by

Signature

Date of return:

Number of Signs: 1

MICROFILMED



NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue, in Towson, Maryland 21204 as follows:

Maryland 21204
 118 Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case #97-83-X
(Item 80)

4316 Ebenezer Road
SE/Intercession of Joppa and Ebenezer Roads
11th Election District
5th Councilmanic
Legal Owners:

Perry Hall Square Limited Partnership

Special Exception: for a community building or land use devoted to social or recreational activity (relocation of an existing tanning salon as a principal use).

Hearing: Tuesday, October 1, 1996 at 9:30 a.m. in Rm. 118, Old Courthouse.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible, for special accommodations Please Call 887-3353.

(2) For information concerning the file and/or Hearing, Please Call 887-3391.

9068 Sept. 5

CS0114

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

Sept. 6, 1996

THIS IS TO CERTIFY, that the annexed advertisement was

published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Sept. 5, 1996.

THE JEFFERSONIAN,

A. H. Erickson
LEGAL AD. - TOWSON

MICROFILMED

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 19 Aug 96

ACCOUNT

R-001-6152

No. **97-83**
024761

RECEIVED
FROM

Paul Leiba

AMOUNT

\$ 85.00

**REN +
SIGN**

FOR

1420 Cuba Rd Admin VAR

01A0080485MICHRC
SA PM1-02A008-20-96
VALIDATION OR SIGNATURE OF CASHIER

\$85.00

9.1

ZONING NOTICE

Cas 97-83-X

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.

PLACE : ROOM 118, OLD COURTHOUSE

TIME & DATE : TUES., OCT. 1, 1996 AT 9:30 A.M.

SPECIAL EXCEPTION

FOR A COMMUNITY BUILDING OR LAND USE DEVOTED TO SOCIAL
OR RECREATIONAL ACTIVITY (RELOCATION OF AN EXISTING TANNING
SALON AS A PRINCIPAL USE).

RETURN SIGN AND POST TO ROOM 101, COUNTY OFFICE BUILDING

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY TO CONFIRM HEARING.

CALL 887-3381 THE DAY BEFORE THE SCHEDULED HEARING DATE.

BE PREPARED TO SIGN A PET. WILL BE IN THE BUILDING THE DAY
BEFORE THE HEARING DATE.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 80 Petitioner: Perry Hall Square Limited Partnership
Location: ⁴³¹¹~~4216~~ Ebenezer Rd

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Barbara W. Ormord

ADDRESS: 1017 Erwin Drive
Jappa, Md 21085

PHONE NUMBER: 494-6201

MICROFILMED



TO: PUTUXENT PUBLISHING COMPANY
September 5, 1996 Issue - Jeffersonian

Please forward billing to:

Barbara W. Ormord
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Towson, MD 21204
494-6201

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-83-X (Item 80)
4316 Ebenezer Road
SE/intersection of Joppa and Ebenezer Roads
11th Election District - 5th Councilmanic
Legal Owner(s): Perry Hall Square Limited Partnership

Special Exception for a community building or land use devoted to social or recreational activity
(relocation of an existing tanning salon as a principal use).

HEARING: TUESDAY, OCTOBER 1, 1996 at 9:30 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 24, 1996

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Towson, MD 21204

RE: Item No.: 80
Case No.: 97-83-X
Petitioner: Perry Hall Square

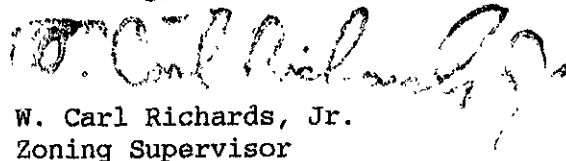
Dear Mr. Hoffman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 16, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

8-30-96

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 080 (JCM)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance(s) onto ~~the~~ US ~~at~~ are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

MICROFILMED

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 08/27/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF AUGUST 26, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 59, 70, 72, 73, 74, 75, 76, 77,
78, 79 AND 80.

2 1503

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: August 30, 1996

FROM: *pub* Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for September 3, 1996
Item Nos. 059, 061, 070, 073,
074, 075, 077, 078, 079, & 080

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: August 29, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 57, 59, 73, 74, 77, 79, and 80

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey Long

Division Chief:

Pat Keller

PK/JL

MICROFILMED

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM
FROM: R. Bruce Seeley
Permits and Development Review
DEPRM
SUBJECT: Zoning Advisory Committee
Meeting Date: Aug 26, 96

DATE: 9/5/96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

59
61
73
75
77
78
79
(80)

RBS:sp

BRUCE2/DEPRM/TXTSBP

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PETITION PROBLEMS

#73 --- RT

1. No zoning indicated on petition form.

#74 --- JRA

1. No description on folder.
2. No address for legal owner.
3. No telephone number for legal owner.

#75 --- JRF

1. No zoning indicated on folder.
2. No election district indicated on folder.
3. No councilmanic district indicated on folder.
4. No acreage indicated on folder.
5. No signature of legal owner on petition form.
6. Need title of person signing for contract purchaser.

#79 --- JRA

1. Notary section is incomplete.

#80 --- JCM

1. No councilmanic district on folder.

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August 21, 1996


RE: PETITION FOR SPECIAL EXCEPTION
4316 Ebenezer Road, SE/intersection of
Joppa and Ebenezer Roads
11th Election District, 5th Councilmanic
Perry Hall Square Limited Partnership
Petitioners

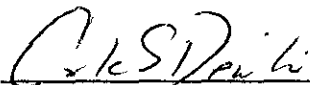
* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 97-83-X

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of October, 1996, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., Venable, Baetjer and Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioners.


PETER MAX ZIMMERMAN

RECEIVED

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147

Item # 80
OFFICES IN

MARYLAND
WASHINGTON, D.C.
VIRGINIA

VENABLE
ATTORNEYS AT LAW

August 16, 1996

Via Hand Delivery

Arnold F. Jablon, Director
Department of Permits & Development Management
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Petitioner: Perry Hall Square Limited Partnership
Petition for Variance
4365 Ebenezer Road
Request for Issuance of Building Permit

Dear Mr. Jablon:

Our client, Perry Hall Square Limited Partnership, owner of the above-captioned property, is interested in relocating and expanding an existing tanning salon within the Perry Hall Square Shopping Center located at 4365 Ebenezer Road. The shopping center consists of 16.781 acres \pm with the area of the relocated tanning salon consisting of .227 acres \pm . The property is zoned BL-CCC.

In 1985, under Zoning Case No. 85-6-X, this site was the subject of a special exception request. The legal owner was interested in operating a tanning salon out of the Perry Hall Square Shopping Center. The Petitioners sought a special exception pursuant to Section 230.13 of the Baltimore County Zoning Regulations to permit a community building, swimming pool, or other structural or land use devoted to civic, social, recreational, and educational activities (tanning salon as a principle use). The Zoning Commissioner, in his Order dated July 11, 1984 (copy attached), granted the special exception request. There were no protestants at the hearing.

The property owner has now filed with the Zoning Office, on this date, a Petition for Special Exception pursuant to Section 230.13 of the Baltimore County Zoning Regulations to permit a community building or land use devoted to social or recreational activity (relocation of an existing tanning salon as a principal use) so that it may be possible to relocate and expand the existing tanning salon.

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Arnold F. Jablon, Director
August 16, 1996
Page 2

Based on the history of this site and the fact that we do not anticipate any opposition to a request to relocate a tanning salon in a shopping center, it is respectfully requested that the building permit for the proposed tanning salon be conditionally approved while the special exception request is processed. Attached is the Provisional Approval Permit Request form and our check in the amount of \$40.00 to cover the fee.

Thank you for your attention to this matter.

Very truly yours,



Robert A. Hoffman

RAH:pmp
Enclosures

cc: Jack H. Pechter
Robert A. Hoffman, Esquire

TO1DOCS1/BAW01/0029269.01

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PROVISIONAL APPROVAL

PERMIT NUMBER: ITEM # 80

Date: August, 1996



Location: 4316 Ebebezer Road

The issuance of this permit in no way grants or implies approval of any matter relating to this property which is in conflict with the Baltimore County Zoning Regulations.

The issuance of this permit is subject to the following **Conditions:**

☒ Owner has filed for a public hearing, Item # 80.

☐ Owner must file for a public hearing within days before the Zoning Commission requesting relief from all conflicts with the Baltimore County Zoning Regulations.

☐ Owner/contract purchaser must submit a complete revised site development plan and requested accompanying information within days resolving all possible conflicts with the Baltimore County Zoning Regulations.

The owner/contract purchaser may proceed at his own risk with the construction indicated in the above referenced permit.

However, in the event that any or all of the above conditions are not completed as stipulated, and/or the petition for relief has been denied, dismissed, or withdrawn, this provisional approval is rescinded forthwith.

Immediately thereafter, the owner/contract purchaser must return the property to the condition it was in prior to the beginning of said construction and accepts full financial liability in the matter.

[Signature]
ZONING STAFF

[Signature] 8-16-96
DIRECTOR, PERMITS & DEVELOPMENT MANAGEMENT

I have read the above statement and I agree to abide by the decision of the zoning commissioner, if applicable, in this matter. I also hereby certify that I, the undersigned, am in fact the owner and, if applicable, the contract purchaser and not just an agent for same.

Perry Hall Square Limited Partnership

X Signed - Owner [Signature] Signed - Contract Purchaser

Printed Name Jack H. Pechter, Managing Partner Printed Name

Address 40 York Rd, 2nd Floor Address
Towson, Maryland 21204

Work Phone # 321-8777 Work Phone #

Home Phone # Home Phone #

Revised 8/11/95

MICROFILMED

370 PETITION FOR SPECIAL EXCEPTION 85-6-X

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for a community building, swimming pool, or other STRUCTURAL OR LAND USE DEVOTED TO CIVIC, SOCIAL, RECREATIONAL, AND EDUCATIONAL ACTIVITIES (tanning salon as a principal use).

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

John B. Howard

(Type or Print Name)

Signature

P.O. Box 5517, 210 Allegheny Ave.

Address

Towson, Maryland 21204

City and State

Attorney's telephone No.: 823-4111

Legal Owner(s):

Perry Hall Square Limited Partnership

(Type or Print Name)

Signature

Address

City and State

Signature

Address

City and State

Name, address and phone number of legal owner, tract purchaser or representative to be contacted

John B. Howard, Esq.

Name

P.O. Box 5517, 210 Allegheny 823-4111

Address "Avenue" TOWSON, Phone No.

MD 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day

May

1984

that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore on the 3rd day of July, 1984, at 10:45 o'clock

Carl J. Jablon

Zoning Commissioner of Baltimore County.

S.C.O.-No. 1

(over)

MICROFILMED



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

June 14, 1984



Maryland Department of Transportation
State Highway Administration



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 310 Zoning Advisory Committee Meeting are as follows:

Property Owner: Perry Hall Square Limited Partnership
Location: 1277' S/E from Belair Road 208' S/W Ebenezer Road
Existing Zoning: P.L. COC
Proposed Zoning: Special Exception for a community building, swimming pool, or other structural or land use devoted to civic, social, recreational, and educational activities (tanning salon as a principal use).

MICROFILMED

June 22, 1984



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
494-3610

ARNOLD JABLON
ZONING COMMISSIONER

RE: PETITION FOR Special Exception
Beginning 208' S of
Rd., 95' N of
Ave., 1st Dist

PERRY HALL SQUARE
PARTNERSHIP, P.

Please see
above-captioned matter
or other proceedings
or final Order.

I HEREBY CERTIFY
the foregoing Entry of
P. O. Box 5517, 210 Al.

88 20 1082
85-6
7/3

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 11th day of July, 1984, that the Petition for Special Exception for a tanning salon under Section 230.13 of the Baltimore County Zoning Regulations, "Community building, swimming pool, or other structural or land use devoted to civic, social, recreational, and educational activities...", in accordance with the site plan prepared by Gerhold, Cross & Etzel, dated April 25, 1984, is GRANTED, from and after the date of this Order, subject, however, to the following:

1. The interior square footage shall be limited to 1,800.
2. Compliance with all applicable Health Department regulations.
3. Parking lot striping of spaces and through lanes shall correspond to a plan approved by Baltimore County.
4. Facilities requiring plumbing shall be limited to restrooms and showers.

Jean M. H. Jones
Deputy Zoning Commissioner, of
Baltimore County

ORDER RECEIVED FOR FILING

DATE July 11, 1984

34 Mary Compagna
Assistant



TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon,

Comments on Item # 310 Housing Advisory Committee Meeting are as follows:

Property Owner: Perry Hall Square Limited Partnership
Location: 12771 S/E from Delair Road 208' S/W Ebenezer Road
Existing Zoning: S.L. CCC
Proposed Zoning: Special Exception for a community building

MICROFILMED

June 22, 1984



BALTIMORE
OFFICE
TOWNS
494-3

ARNOLD JACOB
ZONING COMMISSION

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Rob Hoffman

Dwight Little

MARTIN PECHTER

Robin Eason

Marty Eason

210 Allegheny Ave 21204

530 E. Joppa Rd. 21286

40 York Rd Towson 21204

1007 Lakemont Rd. Balto. 21228

1007 Lakemont Rd. Balto. 21228

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 30, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-83-X (Item 80)

4316 Ebenezer Road

SE/intersection of Joppa and Ebenezer Roads

11th Election District - 5th Councilmanic

Legal Owner(s): Perry Hall Square Limited Partnership

Special Exception for a community building or land use devoted to social or recreational activity (relocation of an existing tanning salon as a principal use).

HEARING: TUESDAY, OCTOBER 1, 1996 at 9:30 a.m. in Room 118, Old Courthouse.

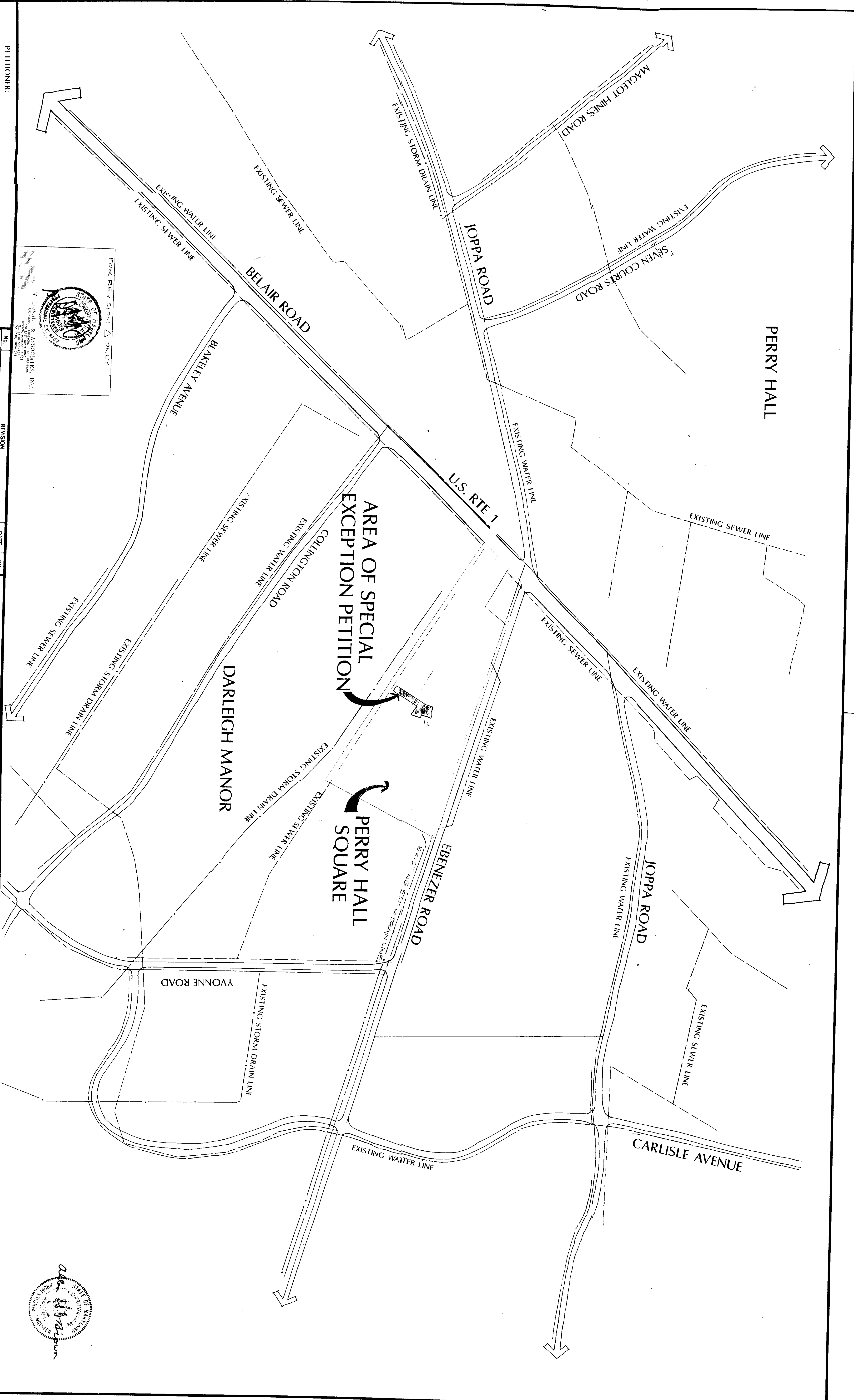
A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Perry Hall Square Limited Partnership
Robert A. Hoffman, Esq.

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED



PERRY HALL

JOPPA ROAD

CARLISLE AVENUE

U.S. RTE 1

EBENEZER ROAD

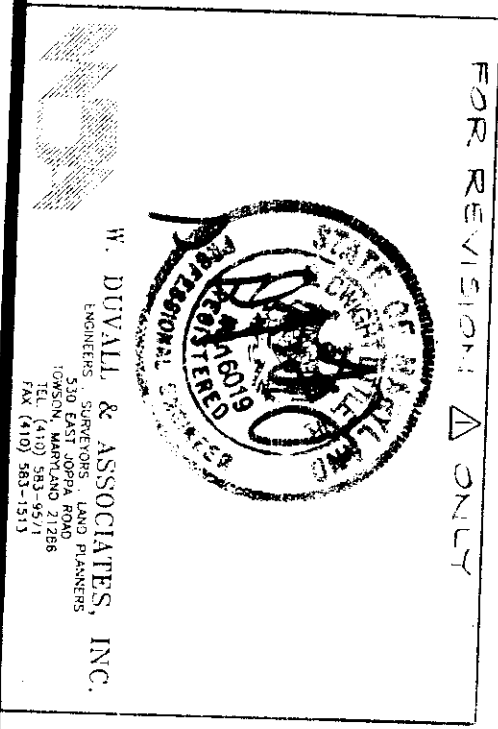
BELAIR ROAD

YVONNE ROAD

DARLEIGH MANOR

AREA OF SPECIAL
EXCEPTION PETITION

PERRY HALL
SQUARE

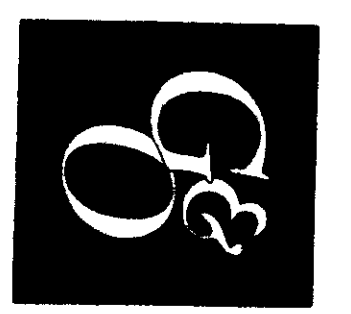


PETITIONER:

JHP DEVELOPMENT COMPANY, INC.
40 YORK ROAD
SECOND FLOOR
TOWSON, MARYLAND 21204
(301) 823-5151

REVISION

No.	REVISION	DATE	BY
1	REVISION FOR SPECIAL EXCEPTION EXHIBIT	8-14-76	W.D.A.

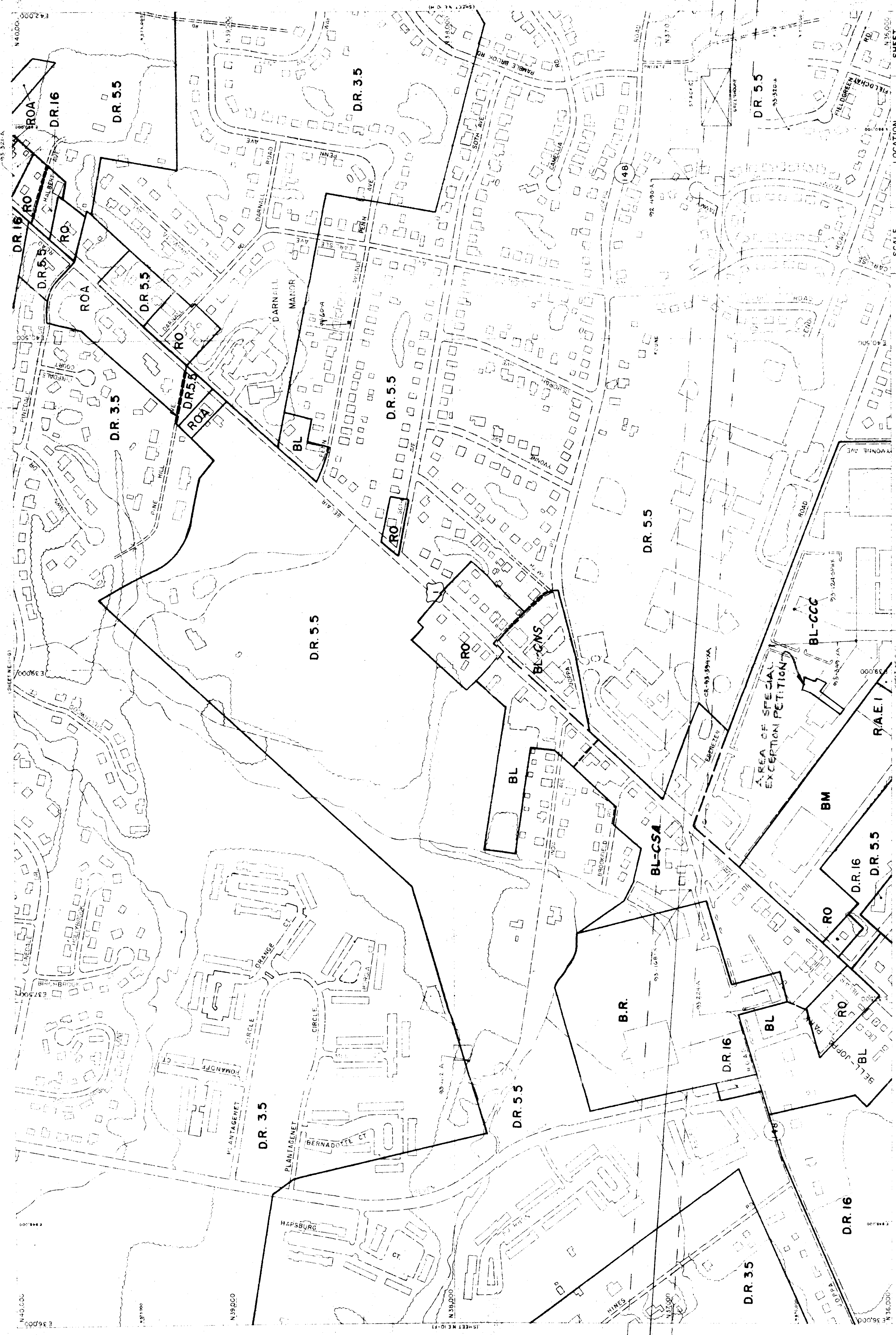


ENGINEERS • ARCHITECTS • PLANNERS • SCIENTISTS • SURVEYORS • PHOTOGRAMMETRISTS
GREENHORNE & O'MARA, INC.
113 WEST ROAD, SUITE 208, BALTIMORE, MARYLAND 21204
(301) 296-4100
ANNAPOLIS, MD • ATLANTA, GA • AURORA, CO • CHICAGO, IL • DALLAS, TX • DENVER, CO • HOUSTON, TX • LOS ANGELES, CA • MINNEAPOLIS, MN • NEW YORK, NY • PHOENIX, AZ • PORTLAND, ME • RICHMOND, VA • SAN FRANCISCO, CA • SEATTLE, WA • TAMPA, FL • WEST PALM BEACH, FL

SITE LOCATION MAP
PERRY HALL SQUARE
COUNCILMANIC DISTRICT NO. 5
ELECTION DISTRICT NO. 11
ADDRESS: 4301 EBENEZER ROAD
PERRY HALL, MD 21128
BALTIMORE COUNTY, MARYLAND

LLH	SCALE 1" = 200'
DESIGN	
DRAWN	
CHECKED	2 OF 2
DATE	11/29/89
JOB NO.	
FILE NO.	

13-1203 X



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992

21-84-82-85-82-86-82-87-82-88-82-89-82
Edmund H. Hunsicker
Baltimore County Council

M - NW
Q - SW

THIS MAP HAS BEEN REVISED IN SELECTED AREAS
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART HORN, INC. BALTIMORE, MD. 21210

SCALE
1" = 200'
DATE
JANUARY 1986
PHOTOGRAPHY
MICROFILMED
LOCATION
PERRY HALL
NE
10-6
SHEET

97-83-X

IN RE: PETITION FOR SPECIAL EXCEPTION • BEFORE THE
88/Corner Joppa and Ebenezer Roads • DEPUTY ZONING COMMISSIONER
(4316 Ebenezer Road)
11th Election District • OF BALTIMORE COUNTY
5th Councilmanic District • Case No. 97-83-X
Perry Hall Square Ltd. Part.
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 4316 Ebenezer Road, located in the vicinity of Belair Road in Perry Hall. The Petitions were filed by the owners of the property, Perry Hall Square Limited Partnership, by Jack H. Pechter, Managing Partner, through their attorney, Robert A. Hoffman, Esquire. The Petition, as filed, seeks a special exception to permit a community building or land use devoted to social or recreational activity on the subject property, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.), as previously approved in prior Case No. 85-6-X. More specifically, the Petitioners seek approval of the relocation of an existing tanning salon as a principal use. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Martin Pechter, a representative of Perry Hall Square Limited Partnership, Dwight Little, Professional Engineer who prepared the site plan for the subject property, and Robert A. Hoffman, Esquire, attorney for the Petitioners. Also appearing in support of the Petition were Robin and Marty Eason, nearby property owners. There were no Protestants or other interested parties present.

Testimony and evidence offered revealed that the subject property consists of a gross area of 16.781 acres, more or less, zoned B.L.-C.C.C., and is the site of the Perry Hall Square Shopping Center. The shopping center consists of a variety of commercial/retail uses including a tanning salon, which is the subject of this request. Testimony revealed that the Petitioners were granted a special exception in prior Case No. 85-6-X to allow the subject tanning salon to locate in the shopping center. The Petitioners now wish to relocate this tanning salon from its present location towards the rear of the shopping center to a more central location on the premises. Testimony indicated that the Petitioners propose to expand the existing tanning salon business and as such, are in need of more space. Therefore, a special exception to permit the relocation and expansion of the subject use is necessary. Furthermore, upon approval of the special exception relief requested herein, the Petitioners have agreed to abandon the special exception use granted in prior Case No. 85-6-X for the tanning salon's present location.

It is clear that the B.C.Z.R. permits the use proposed in a B.L.-C.C.C. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 28th day of October, 1996 that the Petition for Special Exception to permit a community building or land use devoted to social or recreational activity on the subject property, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.), as previously approved in prior Case No. 85-6-X, and more specifically, the relocation of an existing tanning salon as a principal use, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the duly appellate process from this Order

has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) The special exception relief granted in prior Case No. 85-6-X shall cease and terminate upon the relocation of the subject tanning salon to its new location within the Perry Hall Square Shopping Center.

3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

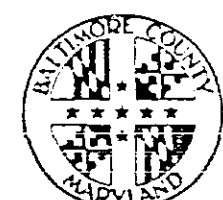
Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjjs

FILED
DATE 11/5/96
BY [Signature]

FILED
DATE 11/5/96
BY [Signature]

FILED
DATE 11/5/96
BY [Signature]



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

October 28, 1996

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION
SE/Corner Joppa and Ebenezer Roads
(4316 Ebenezer Road)
11th Election District - 5th Councilmanic District
Perry Hall Square Ltd. Part. - Petitioners
Case No. 97-83-X

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjjs

cc: Mr. Jack H. Pechter, Perry Hall Square Ltd. Part.
40 York Road, 2nd Floor, Towson, Md. 21204

People's Counsel

File



Petition for Special Exception to the Zoning Commissioner of Baltimore County

for the property located at 4316 Ebenezer Road
which is presently zoned BL-CCC

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made part of hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

a community building or land use devoted to social or recreational activity (relocation of an existing tanning salon as a principal use) pursuant to Section 230.13 of the Baltimore County Zoning Regulations (current location approved in Case No. 85-6-X).

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

Robert A. Hoffman
Venable, Baetjer and Howard, LLP

(Type or Print Name)

Signature

Address

City

State

Zipcode

(We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.)

Legal Owner(s)

Perry Hall Square Limited Partnership

(Type or Print Name)

Signature

By: Jack H. Pechter, Managing Partner

(Type or Print Name)

Signature

40 York Road, 2nd Floor

Address

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted

Robert A. Hoffman

Venable, Baetjer and Howard, LLP

Name

210 Allegheny Ave, Towson, MD 21204

Address

City

State

Zipcode

ESTIMATED LENGTH OF HEARING

unavailable for hearing the following dates

Next Two Months

ALL OTHER

REVIEWED BY: *J. Pechter* DATE: *8-16-96*

W. DUVALL & ASSOCIATES, INC.

Engineers • Surveyors • Land Planners

August 14, 1996

ZONING DESCRIPTION

4316 EBENEZER ROAD

11TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

BEGINNING for the same at a point in Perry Hall Square, said point of beginning being distant from the centerline intersection of Belair Road (70 feet wide) and Ebenezer Road (70 feet wide) the two following courses and distances: South 69 degrees 45 minutes 55 seconds East 865.00 feet, measured along the centerline of said Ebenezer Road and South 20 degrees 14 minutes 05 seconds West 286.00 feet, measured through the parking lot of said Perry Hall Square to said beginning point; thence running for a parcel to be zoned the following eleven courses and distances, wizi:

1. South 20 degrees 14 minutes 05 seconds West 50.00 feet; thence
2. North 53 degrees 52 minutes 25 seconds West 59.50 feet; thence
3. South 36 degrees 07 minutes 35 seconds West 145.0 feet, plus or minus; thence
4. North 53 degrees 52 minutes 25 seconds West 27.50 feet; thence
5. North 36 degrees 07 minutes 35 seconds East 165.7 feet, plus or minus; thence
6. North 20 degrees 14 minutes 05 seconds East 48.74 feet; thence
7. South 69 degrees 45 minutes 55 seconds East 18.00 feet; thence
8. South 69 degrees 44 minutes 54 seconds East 23.41 feet; thence
9. South 69 degrees 45 minutes 55 seconds East 20.50 feet; thence
10. South 20 degrees 14 minutes 05 seconds West 50.50 feet; thence
11. South 69 degrees 45 minutes 55 seconds East 17.50 feet to the place of beginning.

CONTAINING 0.227 acres of land, more or less.

530 East Joppa Road/Towson, Maryland 21286/(410) 583-9571

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 11 Date of Posting OCT. 1, 1996 HEARING

Posted for: PERRY HALL SQ. LTD. PART.

Petitioner: 4316 EBENEZER RD.

Location of property: AT SUNSHINE STORE FRONT

Location of Sign: 4316 EBENEZER ROAD

Remarks: SEE ORDER

Posted by: [Signature] Date of return:

Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., Sept. 6, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Sept. 5, 1996.

THE JEFFERSONIAN,
G. H. Henrichson
LEGAL AD. - TOWSON

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Ordinance of Baltimore County, will hold a public hearing on the proposed special exception to the Zoning Ordinance, for a community building or land use devoted to social or recreational activity (relocation of an existing tanning salon as a principal use) pursuant to Section 230.13 of the Baltimore County Zoning Regulations (current location approved in Case No. 85-6-X).

Case No. 97-83-X

Property: 4316 Ebenezer Road

Location: 4316 Ebenezer Road

Legal Owner(s): Perry Hall Square Limited Partnership

Special Exception: for a community building or land use devoted to social or recreational activity (relocation of an existing tanning salon as a principal use)

Hearing: Tuesday, October 1, 1996 at 5:30 a.m. in Room 118, 400 Washington Avenue, Towson, Maryland 21204

For information concerning the hearing, please call 887-3391.

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CASE NUMBER: 97-83-X (Item 80)
4316 Ebenezer Road
SE/Intersection of Joppa and Ebenezer Roads
11th Election District - 5th Councilmanic
Legal Owner(s): Perry Hall Square Limited Partnership

Special Exception for a community building or land use devoted to social or recreational activity (relocation of an existing tanning salon as a principal use).

HEARING: TUESDAY, OCTOBER 1, 1996 at 9:30 a.m. in Room 118, Old Courthouse.

Post by: 9/16/96 Barbara Ormond 494-6201

ZONING NOTICE

CASE 97-83-X
A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.

PLACE: EBENEZER OLD COURTHOUSE

TIME & DATE: TUE., OCT. 1, 1996 AT 9:30 A.M.

SPECIAL EXCEPTION
FOR A COMMUNITY BUILDING OR LAND USE DEVOTED TO SOCIAL
OR RECREATIONAL ACTIVITY (RELOCATION OF AN EXISTING TANNING
SALON AS A PRINCIPAL USE).

PLEASE SIGN AND POST TO ROOM 106, COUNTY OFFICE BUILDING.

REGISTRATION OF THIS NOTICE IS REQUIRED FOR THE HEARING. IF YOU HAVE ANY QUESTIONS, PLEASE CALL 494-6201.

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 80 Petitioner: Perry Hall Square Limited Partnership
Location: 4316 Ebenezer Rd.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Barbara W. Ormond

ADDRESS: 1017 Edwin Drive

Towson, Md 21204

PHONE NUMBER: 494-6201

Printed with Soybean Ink
on Recycled Paper

12

TO: PUPPENT PUBLISHING COMPANY
September 5, 1996 Issue - Jeffersonian

Please forward billing to:

Barbara W. Ormond
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Towson, MD 21204
494-6201

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-83-X (Item 80)

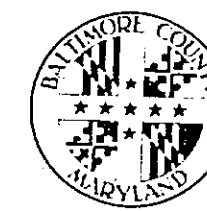
4316 Ebenezer Road
SE/Intersection of Joppa and Ebenezer Roads
11th Election District - 5th Councilmanic
Legal Owner(s): Perry Hall Square Limited Partnership

Special Exception for a community building or land use devoted to social or recreational activity (relocation of an existing tanning salon as a principal use).

HEARING: TUESDAY, OCTOBER 1, 1996 at 9:30 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 30, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-83-X (Item 80)

4316 Ebenezer Road
SE/Intersection of Joppa and Ebenezer Roads
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Legal Owner(s): Perry Hall Square Limited Partnership

Special Exception for a community building or land use devoted to social or recreational activity (relocation of an existing tanning salon as a principal use).

HEARING: TUESDAY, OCTOBER 1, 1996 at 9:30 a.m. in Room 118, Old Courthouse.

Carl Jablon
Arnold Jablon
Director

cc: Perry Hall Square Limited Partnership
Robert A. Hoffman, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 24, 1996

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Towson, MD 21204

RE: Item No.: 80
Case No.: 97-83-X
Petitioner: Perry Hall Square

Dear Mr. Hoffman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 16, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 80 (JCM)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance(s) onto MD/US 41 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
Ronald Burns, Chief
Engineering Access Permits
Division

BS

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

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Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 08/27/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF AUGUST 26, 1996.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 59, 70, 72, 73, 74, 75, 76, 77, 78, 79 AND 80.

2

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office. PHONE 887-4881, MS-1102F

cc: File

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BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management Date: August 30, 1996

FROM: *Robert W. Bowling*
Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for September 3, 1996
Item Nos. 059, 061, 070, 073,
074, 075, 077, 078, 079, & 080

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE24

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: August 29, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):
Item Nos. 57, 59, 73, 74, 77, 79, and 80

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: *Jeffrey Long*

Division Chief: *Carol Keller*

PK/JL

ITEM57A/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: *August 26, 96*

DATE: *9/5/96*

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:
59
61
73
75
77
78
79
80

RBS:sp
BRUCE2/DEPRM/TXTSBP

PETITION PROBLEMS

#73 --- RT

1. No zoning indicated on petition form.

#74 --- JRA

1. No description on folder.
2. No address for legal owner.
3. No telephone number for legal owner.

#75 --- JRE

1. No zoning indicated on folder.
2. No election district indicated on folder.
3. No councilmanic district indicated on folder.
4. No acreage indicated on folder.
5. No signature of legal owner on petition form.
6. Need title of person signing for contract purchaser.

#79 --- JRA

1. Notary section is incomplete.

#80 --- JCM

1. No councilmanic district on folder.

August 21, 1996

RE: PETITION FOR SPECIAL EXCEPTION
4316 Ebenezer Road, SE/Intersection of
Joppa and Ebenezer Roads
11th Election District, 5th Councilmanic
Perry Hall Square Limited Partnership
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 97-83-X

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

C. S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this *17th* day of October, 1996, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., Venable, Baetjer and Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

VENABLE
BAETJER AND HOWARD LLP

210 Allegheny Avenue
Towson, MD 21204
Tel. 410-887-2188
Fax 410-887-2187

August 16, 1996

Via Hand Delivery

Arnold F. Jablon, Director
Department of Permits & Development Management
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Petitioner: Perry Hall Square Limited Partnership
Petition for Variance
4365 Ebenezer Road
Request for Issuance of Building Permit

Dear Mr. Jablon:

Our client, Perry Hall Square Limited Partnership, owner of the above-captioned property, is interested in relocating and expanding an existing tanning salon within the Perry Hall Square Shopping Center located at 4365 Ebenezer Road. The shopping center consists of 16.781 acres ± with the area of the relocated tanning salon consisting of .227 acres ±. The property is zoned BL-CCC.

In 1985, under Zoning Case No. 85-6-X, this site was the subject of a special exception request. The legal owner was interested in operating a tanning salon out of the Perry Hall Square Shopping Center. The Petitioners sought a special exception pursuant to Section 230.13 of the Baltimore County Zoning Regulations to permit a community building, swimming pool, or other structural or land use devoted to civic, social, recreational, and educational activities (tanning salon as a principle use). The Zoning Commissioner, in his Order dated July 11, 1984 (copy attached), granted the special exception request. There were no protestants at the hearing.

The property owner has now filed with the Zoning Office, on this date, a Petition for Special Exception pursuant to Section 230.13 of the Baltimore County Zoning Regulations to permit a community building or land use devoted to social or recreational activity (relocation of an existing tanning salon as a principle use) so that it may be possible to relocate and expand the existing tanning salon.

VENABLE
BAETJER AND HOWARD LLP

Arnold F. Jablon, Director
August 16, 1996
Page 2

Based on the history of this site and the fact that we do not anticipate any opposition to a request to relocate a tanning salon in a shopping center, it is respectfully requested that the building permit for the proposed tanning salon be conditionally approved while the special exception request is processed. Attached is the Provisional Approval Permit Request form and our check in the amount of \$40.00 to cover the fee.

Thank you for your attention to this matter.

Very truly yours,

Robert A. Hoffman

RAH:pmp
Enclosures
cc: Jack H. Pechter
Robert A. Hoffman, Esquire

T01DOC51/BAW01/0029269.01

Office of Permits and Development Management
111 West Chesapeake Avenue, Room 111
Towson, MD 21204
(410) 887-3391

PROVISIONAL APPROVAL
PERMIT NUMBER: *PERM # 80*

Date: August, 1996

Location: 4316 Ebenezer Road

The issuance of this permit in no way grants or implies approval of any matter relating to this property which is in conflict with the Baltimore County Zoning Regulations.

The issuance of this permit is subject to the following Conditions:

- ☒ Owner has filed for a public hearing, Item # *80*.
- ☐ Owner must file for a public hearing within *30* days before the Zoning Commission requesting relief from all conflicts with the Baltimore County Zoning Regulations.
- ☐ Owner/contract purchaser must submit a complete revised site development plan and requested accompanying information within *30* days resolving all possible conflicts with the Baltimore County Zoning Regulations.

The owner/contract purchaser may proceed at his own risk with the construction indicated in the above referenced permit.

However, in the event that any or all of the above conditions are not completed as stipulated, and/or the petition for relief has been denied, dismissed, or withdrawn, this provisional approval is rescinded forthwith.

Immediately thereafter, the owner/contract purchaser must return the property to the condition it was in prior to the beginning of said construction and accepts full financial liability in the matter.

John A. Hoffman
ZONING STAFF

Robert A. Hoffman
DIRECTOR, PERMITS & DEVELOPMENT MANAGEMENT

I have read the above statement and I agree to abide by the decision of the zoning commissioner, if applicable, in this matter. I also hereby certify that I, the undersigned, am in fact the owner and, if applicable, the contract purchaser and not just an agent for same.

Perry Hall Square Limited Partnership
Signed - Owner, *Jack H. Pechter* Signed - Contract Purchaser, _____
Printed Name *Jack H. Pechter, Managing Partner* Printed Name _____
Address *40 York Rd., 2nd Floor* Address _____
Towson, Maryland 21204
Work Phone # *321-8777* Work Phone # _____
Home Phone # _____ Home Phone # _____

Revised 8/1/95

PETITION FOR SPECIAL EXCEPTION 85-6-X

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the attached map and petition, hereby petition for a Special Exception pursuant to the Zoning Law and Zoning Regulations of Baltimore County, in order to have the property used for the purposes described in the attached map and petition.

Property is to be used and advertised as provided by Zoning Regulations.

I, or my agent, do hereby certify that I am the legal owner of the property and that I am the legal owner of the property and that I am the legal owner of the property.

Contract Purchaser: _____
Type or Print Name: _____

Signature: _____
Type or Print Name: _____

City and State: _____
Address: _____
City and State: _____

Signature: _____
Type or Print Name: _____

Signature: _____
Type or Print Name: _____

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Signature: _____
Type or Print Name: _____


Signature: _____
Type or Print Name: _____

1. The interior square footage shall be limited to 1,800.
2. Compliance with all applicable Health Department regulations.
3. Parking lot striping of spaces and through lanes shall correspond to a plan approved by Baltimore County.
4. Facilities requiring plumbing shall be limited to restrooms and showers.

DATE July 11, 1984
BY Myra Compton

1. The interior square footage shall be limited to 1,800.
2. Compliance with all applicable Health Department regulations.
3. Parking lot striping of spaces and through lanes shall correspond to a plan approved by Baltimore County.
4. Facilities requiring plumbing shall be limited to restrooms and showers.

Jan M. H. Sena
Deputy Zoning Commissioner, of
Baltimore County



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
10000 JEFFERSON AVE. BALTIMORE, MD 21204

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME _____

ADDRESS

Rob Hoffman

210 Alcahem Ave 21204

Delight Little

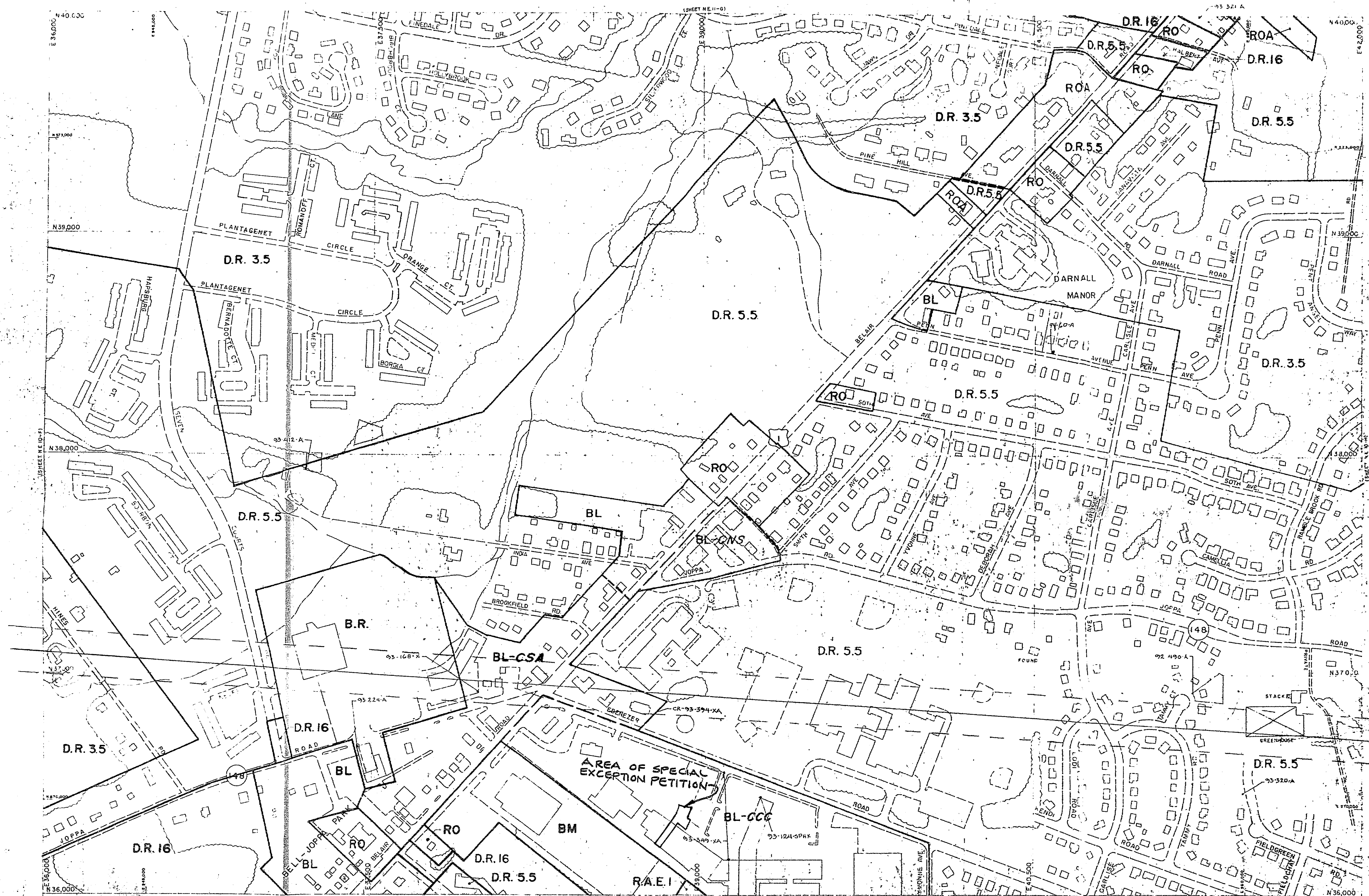
530 E. Toppa Rd. 21286

Alfred J. C. 1872

40 York Rd TOWNS 21204

Kiss. 2-200

1007 Latimer Rd. Bklyn. 21228



M - NW
Q - SW

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY SUPPLIED BY PHOTOGRAMMETRIC METHODS.
B. BUCHART, INC. HAS TIMED THE MAP.

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992
2, 104-02, 105-02, 106-02, 107-02, 108-02, 99-02

William A. Howard IV
Chairman, County Council

SCALE	LOCATION	SHEET
1" = 200'	PERRY HALL	NE
DATE OF PHOTOGRAPHY		10-6

97-83-X